

RESOLUTION NO. 08-164

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, APPROVING THE APPLICATION REQUESTING AN AMENDMENT TO THE FUTURE LAND USE MAP FROM INDUSTRIAL AND OFFICE (MIAMI-DADE COUNTY CLASSIFICATION) TO INDUSTRIAL; **PROPERTY LOCATED WITHIN AN AREA NORTH OF NW 154 STREET, SOUTH OF NW 170 STREET, WEST OF NW 97 AVENUE AND EAST OF NW 107 AVENUE, HIALEAH, FLORIDA**, ZONED AU (AGRICULTURAL DISTRICT-MIAMI-DADE COUNTY DESIGNATION), WHICH WAS PRESENTED TO THE CITY COUNCIL AT A SPECIAL MEETING ON NOVEMBER 25, 2008; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application requesting an amendment to the Future Land Use Map was presented to the City Council and was recommended for approval at the Planning and Zoning Board meeting of October 22, 2008, subject to approval by the Florida Department of Community Affairs or as otherwise provided in section 163.3184, Florida Statutes; and

WHEREAS, pursuant to an Interlocal Agreement between Miami-Dade County and the City of Hialeah, Florida, which became effective on March 29, 2004, the City of Hialeah annexed three-square miles covering an area having a northern boundary of NW 170 Street, an eastern boundary of the eastern edge of I-75, a southern boundary of NW 138 Street and a western boundary of NW 107 Avenue; and

WHEREAS, pursuant to the Interlocal Agreement, the City and the County agreed that with respect to land located within the geographic limits of the City of Hialeah but located outside the Urban Development Boundary at the time of the Agreement, the City acquired concurrent zoning jurisdiction, but not land use jurisdiction unless and until the Urban Development Boundary was extended to include that area; and

WHEREAS, on or after July 19, 2007, the Urban Development Boundary was extended to include the land or property covered by this application and accordingly, the City has zoning and land use jurisdiction of the subject property.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: It is the intent of the City Council that the amendment to the Future Land Use Map, as set forth hereinbelow, after appropriate comment and public hearing, shall be considered for approval from Industrial and Office (Miami-Dade County Classification) to

Industrial. Property located within an area north of NW 154 Street, south of NW 170 Street, west of NW 97 Avenue and east of NW 107 Avenue, Hialeah, Miami-Dade County, Florida, zoned AU (Agricultural District-Miami-Dade County Designation), and legally described as follows:

PORTIONS OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, IN SECTION 17, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

THE WEST $\frac{1}{2}$ OF TRACTS 18, 19, 20 AND 21, LESS THE SOUTH 100 FEET OF TRACT 20, AND LESS THE NORTH 100 FEET OF TRACT 21, AND TRACTS 22, 23, 24, 33, 34, 35, 36, 37, 38 AND 39, LESS THE SOUTH 75 FEET OF TRACT 39, AND LESS THAT PORTION OF TRACT 33 THAT LIES WITHIN THE NORTH 35 FEET OF THE SW $\frac{1}{4}$ OF SAID SECTION 17, BOUNDED BY THE WEST LINE OF THE EAST 35 FEET OF THE SW $\frac{1}{4}$ OF SAID SECTION 17, AND BOUNDED BY A 25-FOOT RADIUS ARC CONCAVE TO THE SOUTHWEST, SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES, AND LESS THOSE PORTIONS OF SAID TRACTS 22, 23, 33, 34 AND 37 THAT LIE WITHIN THE EAST 35 FEET OF THE SW $\frac{1}{4}$ OF SAID SECTION 17.

AND

TRACTS 25, 26, 27, 28, 29, 30, 31 AND 32, LESS THE NORTH 100 FEET OF TRACT 28, LESS THE SOUTH 100 FEET OF TRACT 29, AND LESS THOSE PORTIONS OF TRACTS 29, 30, 31 AND 32, THAT LIE WITHIN THE WEST 40 FEET OF THE NW $\frac{1}{4}$ OF SAID SECTION 17, AND LESS THAT PORTION OF TRACT 32 THAT LIES WITHIN THE NORTH 80.00 FEET OF THE NW $\frac{1}{4}$ OF SAID SECTION 17, AND LESS THE AREA BOUNDED BY THE SOUTH LINE OF THE NORTH 80.00 FEET OF THE NW $\frac{1}{4}$ OF SAID SECTION 17, BOUNDED BY THE EAST LINE OF THE WEST 40.00 FEET OF THE NW $\frac{1}{4}$ OF SAID SECTION 17, AND BOUNDED BY A 25-FOOT RADIUS ARC CONCAVE TO THE SOUTHEAST,

SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES.

AND

TRACT 42 LESS THE SOUTH 75 FEET THEREOF, TRACTS 43, 44, 45, 46, 47 AND 48, LESS THOSE PORTIONS OF TRACTS 44, 45 AND 46 THAT LIE WITHIN THE WEST 40 FEET OF THE SW $\frac{1}{4}$ OF SAID SECTION 17.

AND

TRACTS 49, 50, 51, 52, 53 AND 54 LESS THE EAST 400 FEET THEREOF, AND TRACT 55 LESS THE EAST 400 FEET AND LESS THE SOUTH 75 FEET THEREOF, AND TRACT 58 LESS THE WEST 35 FEET AND LESS THE SOUTH 75 FEET THEREOF, AND TRACTS 59, 60, 61, 62 AND 63, AND THE SOUTH $\frac{1}{2}$ OF TRACT 64, AND LESS THOSE PORTIONS OF TRACTS 62 AND 63 THAT LIE WITHIN THE WEST 35 FEET OF THE SE $\frac{1}{4}$ OF SAID SECTION 17.

AND

TRACTS 40, 41, 56 AND 57, THE SOUTH 75.00 FEET OF TRACTS 39, 42, 55 AND 58, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, IN SECTION 17, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THAT PORTION OF THE SOUTH 75 FEET OF SAID TRACT 55 LYING WITHIN THE EAST 400 FEET OF THE SE $\frac{1}{4}$ OF SAID SECTION 17.

TRACTS 2, 3, 14 AND 4, LESS THE SOUTH 100 FEET OF TRACT 4, OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, IN SECTION 17, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

THAT PORTION OF TRACTS 49, 50, 51, 52, 53, 54 AND 55 LYING WITHIN THE EAST 400 FEET OF THE SE $\frac{1}{4}$ OF SECTION 17, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LESS THE EAST 40 FEET OF TRACT 55, ALL OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, ACCORDING TO

THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

TRACT 35, LESS THE EAST 35 FEET THEREOF, AND THE EAST 1/3 OF TRACT 43, AND TRACT 47, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, IN SECTION 17, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

TRACT 15, 16 AND 17, OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, IN SECTION 17, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

THE EAST ½ OF TRACTS 18 AND 19, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, IN SECTION 17, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND


THE EAST ½ OF TRACT 20, LESS THE SOUTH 100 FEET THEREOF, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, IN SECTION 17, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

Section 2: Effective Date.

This Resolution shall become effective only upon approval of the Florida Department of Community Affairs, the state planning agency, pursuant to Chapter 163, Part II, Florida Statutes,

or as otherwise provided in section 163.3184, Florida Statutes.

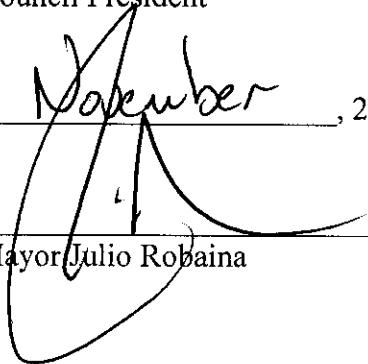
PASSED AND ADOPTED this 25th day of November, 2008.


Carlos Hernandez
Council President

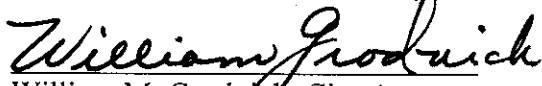
Attest:

Approved on this 26 day of November, 2008.


Rafael E. Granado, City Clerk


Mayor Julio Robaina

Approved as to legal sufficiency and form:


William M. Grodnick, City Attorney

This is corrected Resolution
08-164. A scrivener's error
was reported at the City
Council meeting of January
27, 2009.

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Resolution was adopted by a 6-0-1 vote with Councilmembers, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes" and Councilmember Caragol absent.